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ABSTRACT

To assist CETA (Comprehensive Employment and Training Act) prime sponsors, vocational educators, planning councils, and service deliverers in coordinating resources, this guide is offered as a help in meeting the needs of displaced homemakers who are eligible for services. It furnishes an overview of federal legislation covering displaced homemakers, followed by a discussion of the legislation's purpose, of funding, of eligibility criteria, advisory councils, services, and research. The guide gives the actual wording of relevant legislation along with definitions of terms. There is a review of CETA reauthorization, with a focus on its special provisions for women, and of CETA amendments. Excerpts from the reauthorization legislation and regulations, together with definitions, are included. (CP)

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A Guide To Coordinating CETA/Vocational Education Legislation Affecting Displaced Homemaker Programs

A Booklet To Assist Prime Sponsors, Vocational Educators, and Others in Coordinating Resources To Meet the Needs of Displaced Homemakers

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May 1979

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U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
NATIONAL INSTITUTE OF EDUCATION

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U.S. Department of Labor
Women's Bureau
and
U.S. Department of Health, Education, and Welfare
Bureau of Occupational and Adult Education

The enclosed material is intended to demonstrate the relationship between components and activities under the Vocational Education Act (Education Amendments of 1976, P.L. 94-482) and the Comprehensive Employment and Training Act (CETA Amendments of 1978, P.L. 95-524) that authorize services for displaced homemakers.

This material, jointly developed by the Bureau of Occupational and Adult Education in the U.S. Office of Education and the Women's Bureau in the U.S. Department of Labor, is designed to aid State Vocational Education Directors and their staffs, CETA Prime Sponsors and their staffs, planning councils, service deliverers and other interested parties by indicating the possibilities for establishing or increasing coordination and linkages in the planning and usage of available resources to more effectively meet the needs of displaced homemakers.

We hope that this material will be helpful as a guide to demonstrating the wide range of services available under existing legislation to help displaced homemakers prepare for gainful employment so that they may become economically independent.

Cordially,

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Deputy Commissioner for
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Enclosures

May 1979

CONTENTS

	Page
Introduction	1
Matrix--Displaced Homemaker Legislation (Federal)	3
I. Purpose	3
II. Eligibility for Program Operation	3
III. Advisory Councils and Planning Bodies	4
IV. Federal Funds	4
V. Allowable/Disallowable Costs	5
VI. Deliverers of Services	5
VII. Eligible Participants	6
VIII. Allowable Program Services	7
IX. Research	7
Additional Sources of Funding--State and Federal Programs	8
Related Descriptive Material and Excerpts from Vocational Education Act (Education Amendments of 1976)	11
Authorization and Purpose	12
Federal Funds	12
Costs	13
Deliverers of Services	13
Eligible Participants	13
Allowable Program Services	13
Research	14
Vocational Education (Education Amendments of 1976)	15
Legislative Reference	16
Regulative Reference	17
Definitions	18
Abbreviations	19
Review of Comprehensive Employment and Training Act (CETA) Reauthorization	21
Comprehensive Employment and Training Act (CETA) Amendments of 1978	29
Excerpts From the Law	30
Excerpts From the Regulations (including definitions)	35

INTRODUCTION

It is important that organizations and agencies concerned with the availability of services for displaced homemakers understand the nature of the Comprehensive Employment and Training Act (CETA) and the Vocational Education Act delivery systems.

Vocational education programs are administered by a State board of vocational education. These programs provide educational opportunities and experiences for youth and adults to develop, improve, or upgrade their occupational skills. Each State assigns staff to provide assistance with these programs and services. In the area of displaced homemakers this may be a State supervisor of vocational home economics, State sex equity coordinator or other appropriate staff.

Prime sponsors, on the other hand, are not part of State entities nor do they parallel the State vocational education structure. CETA, which now has 460 prime sponsors, is a flexible and decentralized system for providing job training and employment opportunities for economically disadvantaged unemployed or underemployed persons by means of Federal funding. Although some States have as many as 30 prime sponsors, others may have only one or two. The CETA prime sponsors are geo-political units at the State and local level which operate CETA programs, including those for displaced homemakers.

Both Vocational Education Act and CETA programs require long-range and comprehensive annual plans to be developed with the assistance of mandated constituencies and a variety of community organizations. Agencies and local groups interested in providing or participating in the development of displaced homemaker programs should work through their prime sponsors and State directors of vocational education to acquaint themselves with planning cycles, dates of public hearings on the respective plans, and other means of utilizing the information in this booklet to combine resources and impact upon programs for this needy population.

MATRIX

DISPLACED HOMEMAKER LEGISLATION
(FEDERAL)

The Education Amendments of 1976 (Public Law 94-482) amending the Vocational Education Act of 1963	The Comprehensive Employment and Training Act Amendments of 1978 (CETA) (Public Law 95-524) amending and reauthorizing CETA of 1973	
	TITLE II (CETA)	TITLE III (CETA)
*VEA Sec. 120(b)(1)(L)(i),(ii),(iii) VEA Sec. 107(b)(4)(B)		
I. Purpose To provide programs and services to meet the needs of persons who had solely been homemakers but who now, because of dissolution of marriage and for other reasons, must seek employment based on a needs assessment by individual States. (See item VII hereof.)	I. Purpose To establish comprehensive employment and training (E&T) service programs for economically disadvantaged persons. (CETA Sec. 201)	I. Purpose To provide services to meet the employment-related needs of persons who are disadvantaged in the labor market, including displaced homemakers and others requiring special assistance as determined by the Secretary of Labor. (CETA Sec. 301)
II. Eligibility for Program Operation State Board of Vocational Education determines eligibility through an approved State plan for vocational education. (VEA Sec. 104(a)(1)(A),(B),(C))(Regulation 104.31-104.34)	II. Eligibility for Program Operation Prime sponsors determine eligibility of deliverers of services on the basis of "demonstrated effectiveness" in previous programs, as defined in CETA regulations. (20 CFR § 675.4)**	II. Eligibility for Program Operation The Secretary of Labor determines eligibility of public agencies or private organizations to operate programs as contractors or subgrantees as prescribed in 20 CFR § 675.5 and/or in the specific regulations for those programs.

*VEA - Vocational Education Act

**Final regulations promulgated by the Department of Labor for programs under Titles I, II, VI and VII of CETA were published in the Federal Register on April 3, 1979. They will be set forth in Parts 675 through 695 of Title 20 of the Code of Federal Regulations. A copy of the new regulations can be obtained from the Office of Information, Employment and Training Administration, U.S. Department of Labor, 10225 Patrick Henry Building, Washington, D.C. 20213, or from the Department's regional offices.

The Education Amendments of 1976	CETA Amendments of 1978	
	TITLE II (CETA)	TITLE III (CETA)
III. Advisory Councils and Planning Bodies (VEA Sec. 105(a) through (g)), (VEA Sec. 107(a)(1)), (Regulations 104.91-104.111; 104.162) 1. State Vocational Education Advisory Council 2. Local Advisory Councils and Committees 3. State Planning Committee	III. Advisory Councils and Planning Bodies 1. Prime Sponsor's Planning Council (CETA Sec. 109) 2. State Employment and Training Councils (CETA Sec. 110) 3. Private Industry Councils (PIC) (CETA Sec. 704)	
IV. Federal Funds* (VEA Subpart I, Sec. 102(a), Sec. 111), (Regulation 104.621) 1. Allocation of Federal funds to 57 States and Territories on a formula grant basis. 2. Allocation and activity must be included in an approved State plan for vocational education. 3. Level of funding determined at discretion of State/Territories. 4. States may award sub-grants to local secondary, postsecondary and adult education agencies for displaced homemaker programs.	IV. Federal Funds* Federal funds to prime sponsors on a formula allocation basis. Level of funding is determined on the basis of population, unemployment rates, special needs and number of economically disadvantaged persons in each jurisdiction. (CETA Sec. 202; 20 CFR § 677.14) (NOTE: Beginning October 1, 1978, 459 State and local government units will act as CETA prime sponsors.) Grants to Governors to provide, through State vocational education boards, needed vocational education services in areas served by prime sponsors. (CETA Sections 202 and 204)	IV. Federal Funds* The Secretary of Labor shall make available financial assistance to provide employment opportunities and appropriate training and supportive services (through multi-purpose projects or otherwise) to displaced homemakers. (CETA Sec. 301(a),(b)(1)(A),(B) and (C).

*Displaced homemaker programs may qualify for Federal funds under various sections of the Vocational Education Act and the Comprehensive Employment and Training Act Amendments of 1978.

The Education Amendments of 1976

V. Allowable Costs (VEA Sec. 107(b)(4)(B)), (Regulation 104.622)

1. Needs Assessment.
2. Approved programs, services and activities. (See item VIII hereof.)
3. Acquisition, repair and maintenance of instructional equipment.

VI. Deliverers of Services

1. State vocational education agencies
2. Local education agencies (LEA)--public or private
   a. secondary schools
   b. postsecondary schools including community colleges, vocational technical schools, State vocational schools and adult centers.
3. Appropriate community based organizations (CBOs) on a subcontract basis.
4. Public and non-profit institutions.

CETA Amendments of 1978

TITLE II (CETA)

V. Allowable Costs

1. Participant assessment. (CETA Sec. 205)
2. Comprehensive E&T services. (CETA Sec. 201)
3. Supportive services. (CETA Sec. 211; 20 CFR § 676.25)
4. Wages and allowances. (CETA Sec. 124; 20 CFR § 676.26).

VI. Deliverers of Services

States and agencies thereof; units of local government and agencies thereof; LEAs; CBOs; and other public agencies or private non-profit organizations through State Boards of Vocational Education. (CETA Sec. 101, 20 CFR § 676.2; CETA Sec. 204, 20 CFR § 677.31)

TITLE III (CETA)

V. Allowable Costs

1. Comprehensive E&T services.
2. Supportive services. (20 CFR § 676.25-5)

NOTE: No funds under CETA Sec. 301 to be used for purchase, construction or major rehabilitation of facilities.

VI. Deliverers of Services

Public agencies, including Federal, State and local E&T agencies and LEAs (e.g. community colleges); community based organizations; private non-profit organizations as sub-grantees. (CETA Sec. 301). Prime sponsors may be eligible.

The Education Amendments of 1976

VII. Eligible Participants (VEA Sec. 120(b)(1)(L)) (Regulation 104.621)

Male and female adults who are:

a. Persons who had solely been homemakers but who now, because of dissolution of marriage, must seek employment.
b. Single heads of households.
c. Homemakers and part-time workers seeking a full-time job.
d. Women and men in traditional jobs seeking employment in non-traditional areas.

CETA Amendments of 1978

TITLE II (CETA)

VII. Eligible Participants

A person is eligible for comprehensive E&T services under Title II (Part B) only if such person is economically disadvantaged and either unemployed, underemployed or in school. (CETA Sec. 213)

TITLE III (CETA)

VII. Eligible Participants

CETA Sec. 301(b)(1)(A) provides E&T and supportive services (through multipurpose projects or otherwise) to displaced homemakers, giving priority for participation in projects to displaced homemakers who, as provided in regulations prescribed by the Secretary, are most in need of services by virtue of age, education, training, household support obligations and employability. A displaced homemaker is an individual who — (1) has not worked in the labor force for a substantial number of years, but has, during those years, worked in the home providing unpaid services for family members; and (2)(i) has been dependent on public assistance or on the income of another family member but is no longer supported by that income, or (ii) is receiving public assistance on account of dependent children in the home, especially where such assistance will soon be terminated, and (3) is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment. (20 CFR § 675.4).

The Education Amendments of 1976

VIII. Allowable Program Services (VEA Sec. 107 (b)(4)(B), Sec. 120(b)(1)(L)),(Regulation 104.622)

a. Organized educational programs necessary to prepare these special groups for employment.
b. Courses and/or programs preparing these individuals in how to seek employment.
c. Placement services for graduates of vocational education programs.

(Note additional services and activities which may be available under item 2A, page 6 hereof.)

IX. Research

a. State programs (formula grants), (VEA Subpart 2, Sec. 120(b)(1)(L)).
b. Program Improvement and Supportive Services, VEA Subpart 3, Sec. 130 Part (A)(Federal Funds)).
c. National programs (Federal discretionary funds, VEA Subpart 2 Sec. 171).

CETA Amendments of 1978

TITLE II (CETA)

VIII. Allowable Program Services (CETA Sec. 211; 20 CFR 676.25-5)

Comprehensive E&T services, including but not limited to: Job search assistance, including orientation, counseling and referral to appropriate E&T opportunities; education and skill training; O-J-T; supportive services; payments or inducements to public or private employers, etc.; job restructuring; allowances to persons in training, etc. and any programs or activities authorized by part A of CETA Title III ... and CETA Title VII.

TITLE III (CETA)

VIII. Allowable Program Services (CETA 301)

E&T and supportive services, including transportation and day care (through multi-purpose projects or otherwise) to include, but not limited to, job training, job readiness services, job counseling, job search and job placement services; referrals to health, financial management, legal, public assistance and other appropriate supportive services in community being served. Supportive services may include financial assistance.

IX. Research

Comprehensive program of E&T research, including experimental, developmental, demonstration and pilot projects to demonstrate effectiveness of specialized methods in meeting E&T problems. (CETA Sec. 311)

The Education Amendments of 1976

Additional Sources of Funding

1. State Program Sources

   State-funded vocational education programs may also be coordinated with other State-initiated legislation and State education agency programs.

   There may be specific supplemental programs at both the local and State levels which would provide additional assistance to the displaced homemaker.

2. Federal Program Sources

   A. Additional services and activities which may be available to displaced homemakers under the Education Amendments of 1976:

   (1) VEA Subpart 2 - Basic Grant
   Sec. 120(b)(1)(A) Vocational education programs
   (B) Work study programs
   (C) Cooperative vocational education programs
   (D) Energy education programs
   (G) Stipends
   (H) Placement services
   (J) Support services for women in non-traditional programs
   (K) Day care services

   (2) VEA Subpart 3 - Program Improvement and Supportive Services
   Sec. 131 Research
   Sec. 132 Exemplary and Innovative Programs
   Sec. 133 Curriculum Development
   Sec. 134 Guidance and Counseling Services - (a)(7) Establishment of vocational resource centers to meet the needs of out-of-school individuals
   Sec. 136 Grants to overcome sex bias

Other Legislation Relating to Employment and Training Services (State and Federal)

Additional Sources of Funding

1. State Program Sources

   More than 20 States have enacted legislation authorizing the provision of services to meet the needs of displaced homemakers, including, for example, job counseling, job training and placement, financial management services and legal counseling and referral services. To date, some, but not all, of these States have authorized and/or appropriated funds specifically for these purposes. It should be noted that funds authorized, appropriated and/or disbursed for services to displaced homemakers pursuant to these laws have been solely from State monies.

2. Federal Program Sources

   a. The Work Incentive Program (WIN), authorized by 1967 Amendments to the Social Security Act, and jointly administered by the Department of Labor and Department of Health, Education, and Welfare, provides a broad range of employment and social services exclusively for applicants for and recipients of Aid to Families with Dependent Children (AFDC).

   b. The Secretary of Labor is authorized to develop and establish programs for middle-aged and older workers (over 55 years of age) to ease the transition from one occupation to another within the labor force ("second career objectives") and to assure increased labor force participation by older workers. (See CETA Sec. 308, Projects for Middle Aged and Older Workers.)

   c. Individuals qualifying for assistance under Title VI (that is, public service employees) may be available to staff a displaced homemaker project established under other Titles of CETA. (See CETA Sec. 610.)

   d. Prime sponsors receiving financial assistance under Title VII may use such assistance to augment, but not supplant, employment and training programs and related activities under other Titles of CETA, when determined appropriate by the Secretary of Labor. (See CETA Sections 702 and 705.)

(3) VEA Subpart 5 - Consumer and Homemaking Education

Sec. 150(a) - Consumer and Homemaking Education Programs
Sec. 150(d) - "Economically depressed areas" may correlate with "economically disadvantaged persons," as referred to in Title II, CETA Amendments of 1978.

B. Additional agencies within the Education Division of the Department of Health, Education and Welfare, Washington, D.C. 20202, with programs which may be applicable to displaced homemakers include:

(1) The Women's Program Staff (The Women's Educational Equity Act)
(2) The Fund for Improvement of Postsecondary Education
(3) The Bureau of Higher and Continuing Education
(4) The Bureau of Education for the Handicapped
(5) The National Center for Educational Statistics

3. Federal Research Source

In addition to the above agencies, another research source within the Education Division of the Department of Health, Education, and Welfare is the National Institute of Education (NIE), Washington, D.C. 20208.

NOTE: Programs for displaced homemakers are also available to others, e.g., the disadvantaged, handicapped, offenders, etc. under these statutes.

Related Descriptive Material
and
Excerpts from

Vocational Education Act

(Education Amendments of 1976)

(Public Law 94-482)

(Note: Numbering is keyed to the matrix.)

Vocational Education

Legislation for Displaced Homemakers

I. Authorization and Purpose

Displaced Homemakers and other special groups comprise a neglected and under-represented sector of the U.S workforce. To ensure that these potential workers, of which a large number are women, receive training or re-training and become employable, Congress passed the Education Amendments of 1976 to the Vocational Education Act, P.L. 94-482 on October 12, 1976. According to Subpart II, Basic Grant, Section 120, each State is to provide vocational education programs for certain categories of individuals including homemakers and part-time workers desiring full-time jobs, women trapped in traditional jobs who desire non-traditional employment, single heads of households lacking adequate job skills, and divorced or widowed housewives who need employment.[1/]

IV. Federal Funds

Federal funds are allocated on a formula grant basis through approved vocational education State plans. States must use some funds to provide vocational education programs for Displaced Homemakers, single heads of households, homemakers seeking employment, part-time workers seeking full-time jobs and persons seeking non-traditional jobs. Although these programs are mandatory, the level of funding is left to the discretion of the State (VEA Subpart I, Sec. 102(a), Sec. 111, Sec. 120(b)(1)(L)), (Regulation 104.621).

In addition to funds from Section 120 - Basic Grant of the Act, States may include Displaced Homemakers in program planning under support services for women who enter non-traditional programs (Regulation 104.601), grants to overcome sex bias (104.791 - 104.793), establishment of resource centers for out-of-school individuals, in a counseling outreach program under Guidance and Counseling (104.763, 104.602), for research, exemplary and innovative programs, curriculum development (104.705, 104.706, 104.708).

States may also use funds to provide day care services to children of male and female students (including single parents) enrolled in secondary and postsecondary vocational education

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1/ VEA 120(b)(1)(L)

programs (Regulation 104.611), and to provide educational programs at all educational levels in consumer and homemaking (Regulation 104.901 through 104.906) to prepare youth and adults for the occupation of homemaking (note 104.904), VEA Sec. 120(b)(1), VEA Sec. 150(a) through (d). A State may also use funds under its basic grant for stipends (Regulation 104.571 - 104.574) and for placement services (Regulation 104.581 - 104.583).

V. Costs

Allowable costs for Displaced Homemaker programs include a needs assessment, approved programs, acquisition, repair and maintenance of equipment (Sec. 107(b)(4)(B), (Regulation 104.622).

VI. Deliverers of Services

Programs for Displaced Homemakers are provided by State vocational education agencies, e.g. local education agencies as follows: secondary schools, postsecondary schools including community colleges, vocational technical schools, State vocational schools, and adult centers. Programs may also be provided by appropriate community based organizations (CBOs) on a subcontract basis and public and private non-profit institutions.

VII. Eligible Participants

Male and female adults who are Displaced Homemakers, single heads of households, homemakers and part-time workers seeking a full-time job, and women and men in traditional jobs seeking employment in non-traditional areas are eligible for participation in programs (VEA 120(b)(1)(L)(i), (ii), (iii). (Regulation 104.621). This criteria applies to youth and adults except in consumer and homemaking programs.

VIII. Allowable Program Services

Program services include courses and/or programs preparing these individuals in how to seek employment, placement services for graduates of vocational education programs, and organized educational programs necessary to prepare these special groups for employment. (VEA Sec. 107(b)(4)(B), Section 120(b)(1)(L), (Regulation 104.622.)

IX. Research

National Programs

The Commissioner of Education is authorized to use funds for contracts and grants for research and development of nationally significant model programs. These awards may be used to assist in overcoming sex bias and sex stereotyping in curriculum, guidance and counseling and staff and teacher attitudes and behavior. In the review of applications under this section, points will be awarded for the use of female professional staff and for plans to eliminate sex bias and sex stereotyping in the proposed projects. Eligible applicants for project support include public and non-profit organizations, institutions and agencies and individuals. Profit-making private organizations, institutions and agencies and individuals are eligible for contracts only (VEA Sec. 171), Regulations 105.104, 105.105, 105.110(h)(4)(k)).

Vocational Education

(Education Amendments of 1976)

Legislative Reference

Regulative Reference

Definitions

Abbreviations

"Subpart 2—Basic Grant

"AUTHORIZATION OF GRANTS AND USES OF FUNDS

"SEC. 120. (a) From the sums made available for grants under this subpart pursuant to section 103, the Commissioner is authorized to make grants to States to assist them in conducting vocational education programs in accordance with the requirements of this subpart. 20 USC 2330.

"(b)(1) Grants to States under this subpart may be used, in accordance with five-year State plans and annual program plans approved pursuant to section 109, for the following purposes:

"(A) vocational education programs;

"(B) work study programs as described in section 121;

"(C) cooperative vocational education programs as described in section 122;

"(D) energy education programs as described in section 123;

"(E) construction of area vocational education school facilities;

"(F) support of full-time personnel to perform the duties described in section 104(b);

"(G) the provision of stipends, subject to the restriction contained in paragraph (2), which shall not exceed reasonable amounts, as prescribed by the Commissioner pursuant to regulations, for students entering or already enrolled in vocational education programs, if those students have acute economic needs which cannot be met under work-study programs;

"(H) placement services for students who have successfully completed vocational education programs, subject to the restriction contained in paragraph (2);

"(I) industrial arts programs where such programs will assist in meeting the purposes of this Act;

"(J) support services for women who enter programs designed to prepare individuals for employment in jobs which have been traditionally limited to men, including counseling as to the nature of such programs and the difficulties which may be encountered by women in such programs, and job development and job followup services;

"(K) day care services for children of students in secondary and postsecondary vocational education programs;

"(L) vocational education for—

"(i) persons who had solely been homemakers but who now, because of dissolution of marriage, must seek employment;

"(ii) persons who are single heads of households and who lack adequate job skills;

"(iii) persons who are currently homemakers and part-time workers but who wish to secure a full-time job; and

"(iv) women who are now in jobs which have been traditionally considered jobs for females and who wish to seek employment in job areas which have not been traditionally considered for job areas for females, and men who are now in jobs which have been traditionally considered jobs for males and who wish to seek employment in job areas which have not been traditionally considered job areas for males; and

"(M) construction and operation of residential vocational schools as described in section 124.

"(2) No funds shall be used for the purposes specified in subparagraph (G) or (H) of paragraph (1) unless the State board first makes a specific finding in each instance of funding that the funding of this particular activity is necessary due to inadequate funding in other programs providing similar activities or due to the fact that other services in the area are inadequate to meet the needs.

RULES AND REGULATIONS

Vocational Education Programs for Displaced Homemakers and Other Special Groups

§ 104.621 Use of funds.

A State shall use funds under its basic grant (section 120 of the Act) in accordance with its approved five-year State plan and annual program plan to provide vocational education programs for the following special groups:

(a) Persons who had been homemakers but who now, because of dissolution of marriage, must seek employment;

(b) Persons who are single heads of households and who lack adequate job skills;

(c) Persons who are currently homemakers and part-time workers but who wish to secure a full-time job; and

(d) Women who are now in jobs which have been traditionally considered jobs for females and who wish to seek employment in job areas which have not been traditionally considered as job areas for females, and men who are now in jobs which have been traditionally considered jobs for males and who wish to seek employment in job areas which have not been traditionally considered as job areas for males.

(Secs. 107(b)(4)(B), 120(b)(1)(L); 20 U.S.C. 2307, 2330)

§ 104.622 Scope of programs.

The State shall fund programs, in accordance with the policies and procedures described in its approved five-year State plan pursuant to § 104.187(b), to assess and meet the needs of the groups described in § 104.621. These programs shall include:

(a) Organized educational programs necessary to prepare these special groups for employment, including the acquisition, maintenance and repair of instructional equipment;

(b) Special courses preparing these individuals in how to seek employment; and

(c) Provision of placement service for the graduate of these programs.

(Implements Sec. 120(b)(1)(L); 20 U.S.C. 2330.)

Vocational Education

(Education Amendments of 1976)
Part C - Definitions

Definitions

"Sec. 195. As used in this Act

"(1) the term 'vocational education' means organized educational programs which are directly related to the preparation of individuals for paid or unpaid employment, or for additional preparation for a career requiring other than a baccalaureate or advanced degree; and, for purposes of this paragraph, the term 'organized education program' means only (A) instruction related to the occupation or occupations for which the students are in training or instruction necessary for students to benefit from such training, and (B) the acquisition, maintenance, and repair of instructional supplies, teaching aids and equipment; and the term 'vocational education' does not mean the construction, acquisition or initial equipment of buildings, or the acquisition or rental of land.

"(13) the term 'eligible recipient' means a local educational agency or a postsecondary educational institution.

"(16) the term 'disadvantaged' means persons (other than handicapped persons) who have academic or economic handicaps and who require special services and assistance in order to enable them to succeed in vocational education programs, under criteria developed by the Commissioner based on objective standards and the most recent available data.

"(17) the term 'low-income family or individual' means such families or individuals who are determined to be low-income according to the latest available data from the Department of Commerce.

"(18) the term 'cooperative education' means a program of vocational education for persons who, through written cooperative arrangements between the school and employers, receive instruction, including required academic courses and related vocational instruction by alternation of study in school with a job in any occupational field, but these two experiences must be planned and supervised by the school and employers so that each contributes to the student's education and to his or her employability. Work periods and school attendance may be on alternate half days, full days, weeks, or other periods of time in fulfilling the cooperative program.

Vocational Education

(Education Amendments of 1976)

Abbreviations

BOAE	- Bureau of Occupational and Adult Education
SEA	- State Education Agency
LEA	- Local Education Agency
CBO	- Community Based Organization
VEA	- Vocational Education Act

Review of
Comprehensive Employment and Training Act
(CETA) Reauthorization

(Public Law 95-524)

U.S. Department of Labor

Office of the Secretary
Women's Bureau
Washington, D.C. 20210

REVIEW OF CETA REAUTHORIZATION
(Public Law 95-524)

The Comprehensive Employment and Training Act of 1973, generally referred to as "CETA," was originally enacted to replace categorical Federal employment training programs with a flexible and decentralized system for providing job training and employment opportunities for economically disadvantaged, unemployed and underemployed persons. Most money authorized by CETA is made available to States, cities, counties, or combinations of general government units--the prime sponsors--to support programs designed to reduce structural unemployment. Some funds, however, are earmarked for Federal Departments to conduct programs targeted at certain groups.

The basic law, which was amended several times to add additional programs for public service employment and the Young Adult Conservation Corps, expired at the end of September 1978. Several days later Congress approved the Comprehensive Employment and Training Act Amendments of 1978, extending most authorizations through fiscal year 1982. Although the proposed authorization for public service jobs was cut, a major new Administration-sponsored initiative designed to encourage businesses to hire unemployed minorities and youth was included in the legislation. Also included were substantial changes to sharpen targeting on intended beneficiaries (through the definition of "economically disadvantaged"; focus on "significant segments" of the eligible population, including their race, sex, national origin and age characteristics; limits on length of participation and supplementation of CETA wages; etc.); guard against improper use of funds and recover funds so used; combine similar provisions, simplify administrative provisions and make them consistent, and clarify the relationship among sections (for example, putting most definitions immediately after the statement of purposes); and require closer coordination with public assistance, vocational education, vocational rehabilitation, self-employment training, and social service programs.

Title I - Administrative Provisions consists of two parts. Part A - Organizational Provisions covers such matters as eligibility for prime sponsorship, requirements for master and annual comprehensive employment and training plans, judicial review of action by the Secretary of Labor to terminate financial assistance because of failure to comply with the law, membership and duties of prime sponsor planning councils and State employment and training councils, and authorization of appropriations. Part B - General Provisions covers such matters as wages and allowances (including allowances for each dependent over two up to a maximum of four additional dependents), labor standards, prohibitions against political activities and discrimination, reports to Congress, and Federal access to records.

Title II - Comprehensive Employment and Training Services has four parts. Part A - Financial Assistance Provisions has the formula for allocation for the basic program, including supplemental vocational education assistance. Part B - Services for the Economically Disadvantaged lists general activities for youth, older workers, and public assistance recipients. Part C - Upgrading and Retraining sets

standards under which public and private employers may provide upgrading and retraining programs, including supportive services. Part D - Transitional Employment Opportunities for the Economically Disadvantaged has the allocation formula and eligibility and wages standards for the program under which economically disadvantaged persons who are unemployed are given transitional public service employment that is designed to enable participants to move into unsubsidized employment.

Title III - Special Federal Responsibilities covers generally many of the areas in title III of the former law. In Part A - Special National Programs and Activities, the Secretary of Labor is directed to undertake programs to meet the employment-related needs of certain groups who face particular disadvantages in specific and general labor markets or occupations. Part B - Research, Training, and Evaluation requires the Secretary to establish a comprehensive program of employment and training research to aid in the solution of the Nation's employment and training problems (one program the Administration intends to undertake under these provisions is a demonstration of the job component of its welfare reform proposal). It also requires the Secretary to develop and make publicly available a comprehensive system of labor market information and to provide for the continuing evaluation of activities under the act and the extent to which they meet the needs of various groups.

Title IV - Youth Programs, which formerly related only to the Job Corps, also includes youth employment demonstration programs and the summer youth program--both transferred from the former title III.

Title V - National Commission for Employment Policy continues the advisory body formerly known as the National Commission for Manpower Policy, with some change in membership and several additional functions.

Title VI - Countercyclical Public Service Employment Program authorizes a special program to provide for temporary public employment during periods when the national rate of unemployment is high.

Title VII - Private Sector Opportunities for the Economically Disadvantaged is a new initiative intended to demonstrate the effectiveness of a variety of approaches to increase the involvement of the business community, including small business and minority business enterprises, in activities under the act, and to increase private sector employment opportunities for unemployed or underemployed persons who are economically disadvantaged. Prime sponsor activities under the title are to augment private sector-related activities under title II, including arrangements for on-the-job training with private employers.

Title VIII - Young Adult Conservation Corps continues to cover the program established last year under which unemployed individuals aged 16-23 are referred by the Secretary of Labor for year-round projects administered by the Secretaries of the Interior and Agriculture. Participants are assigned to residential or nonresidential centers and work in such areas as tree nursery operations, wildlife habitat improvements and preservation, and recreation development. An amendment adds public assistance agencies to the list of sources from which the Secretary of Labor is to seek referral of candidates.

PROVISIONS OF SPECIAL INTEREST TO WOMEN

Master and annual comprehensive employment and training plans

Each prime sponsor is to prepare a comprehensive master plan sufficiently detailed for thorough understanding of economic conditions of the area, including geographic and demographic characteristics of significant segments of the population to be served (indicating number of potential eligible participants and their income and employment status); comprehensive labor market analysis and assessment of economic conditions of the area; statement of long term goals; methods and institutional arrangements to be used to involve community-based organizations, educational agencies and other deliverers of services in the development and implementation of programs; method and criteria to be used to select such deliverers of services from an inventory of potentially available deliverers of services (which have expressed an interest in writing) maintained by the prime sponsor as records accessible to the public; detailed description of administrative arrangements including procedures to supervise deliverers of services, to select and place individuals on administrative staff and procedures to process complaints and grievances; description of arrangements to ensure that nondiscrimination and equal employment opportunities are provided and that procedures are developed which will lead to skill development and job opportunities for participants in occupations traditionally limited to individuals of the opposite sex; description of arrangements with community-based organizations serving the poverty community to participate in planning of programs; description of recordkeeping procedures which will allow the Secretary to monitor the prime sponsor's program, concerning eligibility of participants and propriety of participant selection procedures. (Sec. 103(a))

The annual plan is to include description of the eligible population identified by race, sex, national origin, and age, and the proposed activities and services for participants from these significant segments of the eligible population; specific services for those who are experiencing severe handicaps in obtaining employment, including those who lack credentials, require basic and remedial skill development, are handicapped, are disabled or Vietnam-era veterans, are offenders, are displaced homemakers, or are 55 years of age or older, are youth, are single parents, are women, or are others the Secretary determines to have particular disadvantages in the labor market; method for determining priorities for service under title II based on objective locally established criteria to assure service to those most in need--such priorities to be based on locally determined factors such as employment status, household status, level of employability development, handicap, veteran status, age, race, sex, or other criteria deemed viable by the prime sponsor. (Sec. 103 (b))

Prime sponsors must, 45 days prior to submitting master or annual plans to the Secretary, make such plans available--in order to allow for at least 30 days of review and comment--to appropriate community based organizations of demonstrated effectiveness in serving significant segments of the eligible population. (Sec. 104 (a) (2) (B) Plans are also to be made available to the general public through such means as public hearings, newspapers, bulletins, and other media, including publications that primarily serve significant segments of the eligible population. (Sec. 104 (a) (3))

Prime sponsor's planning council

Each prime sponsor is to establish a planning council consisting of representatives of significant segments of the eligible population, community-based organizations, etc. Council duties include continuing analyses of the need for employment, training, and related services in the area, including efforts to reduce and eliminate artificial barriers to employment. (Sec. 109 (a), (b), and (e))

State employment and training council

One-quarter of members of State council to consist of representatives of the eligible population (including significant segments thereof) and of the general public. (Sec. 110 (a) (3) (C)

Special conditions applicable to public service employment

Secretary shall assure that prime sponsors have undertaken, or will undertake, analyses and reevaluations of job descriptions and, where feasible, revisions of qualification requirements at all levels of employment, including civil service requirements and practices relating thereto, in accordance with regulations prescribed by the Secretary, with a view toward removing artificial barriers to public employment of those whom it is the purpose of this act to assist. (Sec. 122(f))

Special emphasis in filling public service jobs shall be given to eligible members of specifically identified groups, including women, single parents, displaced homemakers, public assistance recipients, older workers facing particular labor market disadvantages, taking into account the household support obligations of persons applying for such jobs; but nothing in this act shall authorize the Secretary to establish hiring or participation goals for such persons. (Sec. 122 (b) (3) (A))

Participant assessment

Prime sponsor shall assist each individual receiving assistance under title II to establish a personalized employability plan. In establishing the plan, prime sponsors shall take into consideration the individual's skills, interests, and career objectives, subject to the availability of services, and shall consider the barriers to employment or advancement faced by that individual in order to assist that individual to attain unsubsidized employment. (Sec. 205 (a))

Special national programs and activities

The Secretary shall use funds available under title III to provide services authorized under all titles of this act and for E&T programs that meet the employment-related needs of persons who face particular disadvantages in specific and general labor markets or occupations, including offenders, persons of limited English language proficiency, handicapped individuals, women, single parents, displaced homemakers, youth, older workers, individuals who lack educational credentials, public assistance recipients, and other persons determined to require special assistance. (Sec. 301 (a) (1))

Secretary shall make available financial assistance to conduct programs to provide employment opportunities and appropriate training and supportive services (through multipurpose projects or otherwise) to displaced homemakers. Programs shall concentrate on creating new jobs in the private sector for displaced homemakers in order to meet identified needs within the community. To maximum extent feasible, supervisory, technical and administrative positions with the program shall be filled by displaced homemakers. Priority for participation shall be given to displaced homemakers who are most in need of services by virtue of age, education, training, household support obligations, and employability. No funds available under this section shall be used for the purchase, construction or major rehabilitation of facilities. Secretary shall reserve not more than 2 percent of the funds made available to carry out this title for the purpose of carrying out this section. (Sec. 301 (b) (1) (A), (B), and (C))

Secretary shall make financial assistance available to conduct programs for handicapped individuals, youth, single parents, and older workers to provide employment, training and related assistance and supportive services which will enable them to secure and retain meaningful employment. Such programs shall be designed to assist in eliminating artificial and other employment barriers faced by such persons. (Sec. 301 (b) (4))

Secretary shall develop and establish E&T programs for middle-aged and older workers to reflect appropriate consideration of their importance in the labor force and lead to a more equitable share of employment and training resources (workers over 55 years of age). (Sec. 308 (a) (1))

Research and evaluation

Secretary shall establish a comprehensive progam of E&T research. Program may include studies on skill, responsibility, and remuneration; easing transition from school to work, from income transfer payment dependency to employment, from one job to another, and from work to retirement; opportunities and services for older persons who desire to enter or reenter the labor force. (Sec. 311 (a))

Secretary authorized to undertake research on applicability of jobsharing, work-sharing, and other flexible hours arrangements in various settings, and of the incentives and technical assistance required by employers to implement such alternative working arrangements; and investigate the extent to which job and wage classification systems undervalue certain skills and responsibilities on the basis of the sex of persons who usually hold the positions. (Sec. 311(d))

Secretary shall conduct educational and assistance programs designed to eliminate artificial barriers to employment based on race, sex, national origin, age, records of arrest or conviction, handicaps, marital stauts, or other criteria. Secretary to consult HEW, Civil Rights Commission, and the EEOC. (Sec. 311(g))

Secretary's continuing evalution of all programs and activities shall include extent to which they meet the needs of persons by age, sex, race, and national origin and the adequacy of the mechanism for the delivery of services. (Sec. 313(a))

Private sector opportunities for the economically disadvantaged

Opportunities are to be allocated on an equitable basis among significant segments of the eligible population. Prime sponsors receiving financial assistance under the title must establish a private industry council, whose membership must include representatives from educational institutions and from community-based organizations that have demonstrated their effectiveness in working with the private sector. Permissible activities include: coordinating programs of jobs and training and education enabling individuals to work for a private employer while attending an education or training program; developing apprenticeship work or comparable high-skill training programs for workers, regardless of age, in occupations where such programs do not exist presently in the area; and increasing opportunities for upgrading from entry level jobs by providing counseling and other services to employees and employers beyond initial training periods. (Title VII)

Comprehensive Employment and Training Act Amendments of 1978 (CETA)

Excerpts from the law

Excerpts from the regulations (including definitions)

Excerpts from

Comprehensive Employment and Training Act Amendments of 1978 (Public Law 95-524)--Oct. 27, 1978

"TITLE II—COMPREHENSIVE EMPLOYMENT AND TRAINING SERVICES

"PART A—FINANCIAL ASSISTANCE PROVISIONS

"PURPOSE OF PROGRAM

Establishment. 29 USC 841.

"SEC. 201. It is the purpose of this title to establish programs to provide comprehensive employment and training services throughout the Nation in order to ease barriers to labor force participation encountered by economically disadvantaged persons, to enable such persons to secure and retain employment at their maximum capacity, and to enhance the potential for individuals to increase their earned income. Such programs shall include the development and creation of training, upgrading, retraining, education, and other services needed to enable individuals to secure and retain employment at their maximum capacities so as to increase their earned incomes.

* * *

"SUPPLEMENTAL VOCATIONAL EDUCATION ASSISTANCE

"SEC. 204. (a)(1) From the funds available to him for this section, the Secretary shall make grants to Governors to provide financial assistance, through State vocational education boards, to provide needed vocational education services in areas served by prime sponsors, in accordance with an agreement between the State vocational education board and the prime sponsor. 29 USC 844.

"(2) The State vocational education board, prior to making any agreement with a prime sponsor as provided in paragraph (1), shall consult with and obtain the advice and comment of the designated representatives of the State agencies and councils which are required to be involved in the formulation of the five-year State plan for vocational education pursuant to section 107(a)(1) of the Vocational Education Act of 1963. 20 USC 2307.

"(b) All of the sums available to carry out this section shall be allocated among the States in the manner provided for allocating funds under section 202(a).

"(c)(1) Not less than 85 percent of the funds available under this section shall be used only for providing vocational education and services to participants in programs under this Act.

"(2) The remainder of the funds available under this section may be used—

"(A) to coordinate programs under this Act with existing vocational education programs;

"(B) to coordinate the utilization of funds under this Act and the Vocational Education Act of 1963 to enhance economic growth and development in the State; 20 USC 2301 note.

"(C) to develop linkages between vocational education, education, and training programs under this Act and private sector employers;

"(D) to provide technical assistance to vocational education institutions and local education agencies to aid them in making cooperative arrangements with appropriate prime sponsors;

"(E) to provide information, curriculum materials, and technical assistance in curriculum development and staff developments to prime sponsors.

* * *

"PART B—SERVICES FOR THE ECONOMICALLY DISADVANTAGED

"DESCRIPTION OF PROGRAM

29 USC 848. "SEC. 211. Comprehensive employment and training services may include, but need not be limited to, the following:

"(1) job search assistance, including orientation, counseling, and referral to appropriate employment and training opportunities;

"(2) outreach to make persons aware of the availability of, and to encourage them to use, employment and training services;

"(3) supported work programs or activities;

"(4) education and institutional skill training to prepare persons to enter the labor market, or to qualify for more productive job opportunities and increased earnings;

"(5) on-the-job training and training leading to self-employment in small business;

"(6) work experience programs providing employment opportunities for eligible individuals unable to attain employment with public or private sector employers, which shall be designed to increase the employability of the participants through development of work habits, occupational skills, and linkages with other training programs, or to provide temporary employment to individuals who are seeking suitable placement in classroom training, on-the-job training, public service employment, or other such employment and training opportunities;

"(7) payments or other inducements to public or private employers to expand job opportunities, in accordance with section 121(l);

"(8) services to individuals to enable them to retain employment;

"(9) supportive services, including, but not limited to, necessary health care, child care, residential support, or assistance in securing bonds, and transportation, needed to enable individuals to participate in employment and training;

"(10) development of labor market information, and activities such as job restructuring, to make the program more responsive to the needs of the eligible population;

"(11) training, employment opportunities, and related services conducted by community based organizations;

"(12) part-time, flexitime, and other alternative working arrangements for individuals who are unable because of age, handicap, or other factors to work full-time;

"(13) payment of allowances to persons in training for which they receive no remuneration, and payment of such allowances for transportation, subsistence, or other expenses incurred in training or employment; and

"(14) any programs or activities authorized by part A of title III, title IV, and title VII of this Act.

Post, pp. 1974, 2010.

* * *

"ELIGIBILITY FOR PARTICIPATION

"SEC. 213. A person shall be eligible to participate in a program receiving financial assistance under this part only if such person is economically disadvantaged and either unemployed, underemployed, or in school. 29 USC 848.

* * *

"TITLE III—SPECIAL FEDERAL RESPONSIBILITIES

"PART A—SPECIAL NATIONAL PROGRAMS AND ACTIVITIES

"SPECIAL PROGRAMS AND ACTIVITIES

29 USC 871.

"SEC. 301. (a) The Secretary shall use funds available under this title to provide services authorized under all titles of this Act and for employment and training programs that—

"(1) meet the employment-related needs of persons who face particular disadvantages in specific and general labor markets or occupations including offenders, persons of limited English language proficiency, handicapped individuals, women, single parents, displaced homemakers, youth, older workers, individuals who lack educational credentials, public assistance recipients, and other persons whom the Secretary determines require special assistance;

"(2) are most appropriately administered from the national level, such as programs sponsored by public agencies or private organizations that conduct federally assisted activities in more than one State;

"(3) foster new or improved linkages between Federal, State, and local employment and training agencies and components of the private sector, such as the business community, organized labor, and community based organizations;

"(4) provide continued support for programs of demonstrated effectiveness;

"(5) eliminate or reduce critical skill shortages in the Nation's labor force; and

"(6) serve individuals who become unemployed as a result of large-scale loss of jobs in a locality, caused by the closing of a facility, mass layoffs, natural disasters, or similar circumstances;

Financial assistance for displaced homemakers.

"(b)(1)(A) The Secretary shall make available financial assistance to conduct programs to provide employment opportunities and appropriate training and supportive services (through multipurpose projects or otherwise) to displaced homemakers. Such training and supportive services shall include, but not be limited to, job training, job readiness services, job counseling, job search, and job placement services; outreach and information services, including information on available education opportunities; and referrals (through cooperative arrangements, to the maximum extent feasible) to health, financial management, legal, public assistance, and other appropriate supportive services in the community being served. To the maximum extent feasible, activities supported under this paragraph shall be coordinated with and supplement, but not supplant, activities supported under other titles of this Act and shall emphasize training and other employment related services for participants that are designed to enhance their employability and earnings. Programs shall concentrate on creating new jobs in the private sector for displaced homemakers in order to meet identified needs within the community. To the maximum extent feasible, supervisory, technical, and administrative positions within the programs shall be filled by displaced homemakers. Priority for participation in projects supported under this paragraph shall be given to displaced homemakers who, as provided in regulations which the Secretary shall prescribe, are most in need of services by virtue of age, education, training, household support obligations, and employability.

"(B) No funds available under this section shall be used for the purchase, construction, or major rehabilitation of facilities.

"(C) For the purposes of carrying out this subsection, the Secretary shall reserve not more than 2 percent of the funds made available to carry out this title.

"(2) The Secretary shall make financial assistance available to conduct a program for offenders to provide employment, training and related assistance and supportive services (including basic education, drug addiction or dependency rehabilitation and health care) which will enable them to secure and retain meaningful employment. The Secretary shall support activities designed to enable offenders to secure meaningful training and employment including but not limited to those services which provide highly structured and supervised employment opportunities, such as employment and training opportunities proven effective under section 311(c). Emphasis shall be placed upon serving offenders in contact with the criminal justice system or recently released from criminal justice custody or supervision. Services shall be comprehensive, and recipient of funds shall coordinate their activities with other providers of employment and training assistance. Grants may also be provided to the States or prime sponsors for the establishment of units for planning and evaluation of correctional employment and training assistance to offenders. The Secretary may provide for appropriate arrangements with employers and labor organizations, and appropriate parole, probationary, and judicial authorities, for the utilization of training equipment comparable to that currently used for the job for which training is furnished. To support such programs the Secretary shall develop information concerning the special needs of offenders for such services, including special studies regarding the incidence of unemployment among offenders and the means of increasing employment opportunity for offenders. As part of the reporting requirements under section 127(a), the Secretary shall also conduct an annual survey of prime sponsors and States receiving assistance under this Act for the purpose of assessing the scope and implementation of offender programs.

Financial assistance for offenders.

Grants.

Studies.

Survey.

"(3) With respect to programs for persons of limited English-speaking ability under this Act, the Secretary shall establish appropriate procedures to ensure that participants are provided with employment and training and related assistance and supportive services (where feasible, at times designed to meet the needs of individuals unable to attend during normal working hours) designed to increase the employment and training opportunities for unemployed and underemployed persons of limited English-speaking ability, including (A) the teaching of occupational skills in the primary language of such persons for occupations which do not require a high proficiency in English, and (B) developing new employment opportunities for limited English-speaking persons and opportunities for promotion within existing employment situations for such persons, including programs for the dissemination of appropriate information, and job placement, and counseling assistance, and the conduct of training and employment programs, in the primary language of such persons, as well as programs designed to increase the English-speaking ability of such persons.

"(4) The Secretary shall make financial assistance available to conduct programs for handicapped individuals, youth, single parents, and older workers to provide employment, training and related assistance and supportive services which will enable them to secure and retain meaningful employment. Such programs shall be designed to assist in eliminating artificial and other employment barriers faced by such persons.

Report to Congress.

"(c) The Secretary shall report to the Congress not later than March 1 of each year with detailed information and analysis of the programs conducted pursuant to this section. The information required by this subsection may be included in the annual report of the Secretary under section 127(a).

Allocation of funds.

"(d) Funds allocated to recipients for purposes of this section shall be used to supplement funds which otherwise would be used for purposes of undertaking the same or similar programs and activities for such persons.

"(e) To the extent appropriate, programs financed under this part shall be coordinated with programs conducted by prime sponsors under this Act, and the Secretary shall notify such prime sponsors of the funding of an employment and training program under this part.

"(f) Notwithstanding any other provisions of this Act, eligibility requirements for programs for workers age fifty-five and older, which were established under title X of the Public Works and Economic Development Act of 1965, and which thereafter have been funded under section 304 of this Act prior to the enactment of the Comprehensive Employment and Training Act Amendments of 1978, shall be those which applied when the programs were established under title X.

42 USC 3246.

Ante, p. 1909.

"(g) The Secretary shall establish a special program for the funding of local workshops for the training of youths and other individuals who wish to pursue careers as self-employed owners and managers of small businesses. Such workshops should provide instruction in management techniques, business communication skills, motivational training, special problems in business operation, advice concerning Federal and State regulations, preparation of financial statements and loan applications, recordkeeping, development of marketing techniques, and information on beneficial resources available within the community.

* * *

"UTILIZATION OF FUNDS

"SEC. 610. Funds available under this title to a prime sponsor may be used, with respect to individuals qualifying for assistance under this title, for programs authorized under title II (other than public service employment), part A of title III, title IV, and title VII.

29 USC 970.

# # #

Comprehensive Employment and Training Act
Amendments of 1978 (CETA)

Excerpts from
RULES AND REGULATIONS

§ 675.4 Definitions.

* * *

Artificial Barriers to Employment—means limitations (such as: age, sex, race, national origin, parental status, credential requirements, criminal record, lack of child care, physical or mental status and absence of part-time or alternative working patterns/schedules) in hiring, firing, promotion, licensing, and conditions of employment which are not directly related to an individual's fitness or ability to perform the tasks by the job.

* * *

Community Based Organization (CBO)—means a private nonprofit organization which is representative of the community or a significant segment of a community, and which provides employment and training services or activities. (Examples include: Opportunities Industrialization Centers, the National Urban League, SER-Jobs for Progress, United Way of America, Mainstream, the National Puerto Rican Forum, agencies serving women, neighborhood groups and organizations, community action agencies, community development corporations, vocational rehabilitation organizations, rehabilitation facilities (as defined in Sec. 7(10) of the Rehabilitation Act of 1973, 29 USC § 706), agencies serving youth, union-related organizations, and employer-related nonprofit organizations).

* * *

Displaced Homemaker—means an individual who:

(a) Has not worked in the labor force for a substantial number of years but has, during those years, worked in the home providing unpaid services for family members; and

(b)(1) Has been dependent on public assistance or on the income of another family member but is no longer supported by that income; or

(2) Is receiving public assistance on account of dependent children in the home, especially where such assistance will soon be terminated; and

(c) Is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.

* * *

Economically Disadvantaged—means a person who is either:

(a) A member of a family which receives public assistance;

(b) a member of a family whose income during the previous 6 months on an annualized basis was such that

(1) The family would have qualified for public assistance, if it had applied for such assistance; or

(2) It does not exceed the poverty level; or

(3) It does not exceed 70 percent of the lower living standard income level;

(c) A foster child on whose behalf State or local government payments are made;

(d) Where such status presents significant barriers to employment,

(1) A client of a sheltered workshop;

(2) A handicapped individual;

(3) A person residing in an institution or facility providing 24 hour support such as a prison, a hospital or community care facility; or

(4) A regular outpatient of a mental hospital, rehabilitation facility or similar institution.

* * *

Family—(a) Means one or more persons living in a single residence who are related to each other by blood, marriage, or adoption. A step-child or a step-parent shall be considered to be related by marriage.

(b)(1) For purposes of paragraph (a) of this section, one or more persons not living in the single residence but who were claimed as a dependent on another person's Federal Income Tax return for the previous year shall be presumed, unless otherwise demonstrated, part of the other person's family.

(2) An older worker, as defined in this section, whether living in the residence or not, or a handicapped individual who is 16 years of age or older may be considered a family of one when applying for programs under the Act.

(3) An individual 16 or older, except as provided in (2) above, who receives less than 50 percent of support from the family, and who is not the principal

which reduce the accessibility to or usefulness of such building, facility or structure to handicapped individuals.

Area of Substantial Unemployment (ASU)—means an area within a prime

* * *

Family Income—means all income actually received from all sources by all members of the family, during the income determination period. Family size shall be the maximum number of family members during the income determination period.

(a) Family income shall include:

(1) Gross wages and salary (before deductions);

(2) Net self-employment income (gross receipts minus operating expenses);

(3) Other money income received from sources such as net rents, OASI (Old Age and Survivors Insurance) social security benefits, pensions, alimony, child support, and periodic income from insurance policy annuities, and other sources of income.

(b) Family income shall exclude:

(1) Non-cash income such as food stamps, or compensation received in the form of food or housing;

(2) Imputed value of owner-occupied property, i.e., rental value;

(3) Public assistance payments;

(4) Cash payments received pursuant to a State plan approved under Titles I, IV, X, or XVI of the Social Security Act, or disability insurance payments received under Title II of the Social Security Act;

(5) Federal, State or local unemployment benefits;

(6) Payments made to participants in employment and training programs (including payments received under CETA Title IV or Title VIII or Title V of the Older Americans Act), except wages paid for PSE and OJT.

(7) Capital gains and losses;

(8) One time unearned income, such as, but not limited to:

(i) Payments received for a limited fixed term under income maintenance programs and supplemental (private) unemployment benefits plans;

(ii) One-time or fixed-term scholarship and fellowship grants;

(iii) Accident, health, and casualty insurance proceeds;

(iv) Disability and death payments, including fixed term (but not lifetime) life insurance annuities and death benefits;

(v) One-time awards and gifts;

(vi) Inheritance, including fixed term annuities;

(vii) Fixed term workers' compensation awards;

(viii) Terminal leave pay;

(ix) Soil bank payments;

(x) Agriculture crop stabilization payments;

(9) Pay or allowances which were previously received by any veteran while serving on active duty in the Armed Forces; and

(10) Educational assistance and compensation payments to veterans and other eligible persons under Chapters 11, 13, 31, 34, 35, and 36 of Title 38, United States Code.

(11) Payments received under the Trade Readjustment Act.

* * *

Lower Living Standard Income Level—means that income level (adjusted for selected Standard Metropolitan Statistical Areas and regional metropolitan and non-metropolitan differences and family size) determined annually by the Secretary, based upon the most recent lower living family budget issued by the Bureau of Labor Statistics.

* * *

Poverty Level—means that annual income level at, or below, which families are considered to live in poverty, as annually determined by the Office of Management and Budget.

* * *

Program of Demonstrated Effectiveness—means a program which has demonstrated the capacity to achieve planned goals at reasonable costs within acceptable timeframes, and is either: (1) a program which has demonstrated to the prime sponsor that it has performed effectively within the prime sponsor's jurisdiction, or (2) a program which can demonstrate to the prime sponsor that it has carried out a similar program under similar circumstances in other jurisdictions and can carry out such program effectively within the prime sponsor's jurisdiction.

* * *

Underemployed Person—means:

(a) Persons who are working part time but seeking full time work; or

(b) Persons who are working full time but whose current annualized wage rate is not in excess of (for a family of one), the higher of either:

(1) The poverty level; or

(2) 70 percent of the lower living standard income level.

* * *

Unemployed Person—means for purposes of determining eligibility:

(a) A person who is without a job for at least seven consecutive days prior to application for participation. A person shall be considered as being without a job if, for seven consecutive days, such person:

(1) Worked no more than 10 hours; and

(2) Earned no more than $30; and

(3) Was seeking and available for work; or

(b) A person who is:

(1) A client of a sheltered workshop;

(2) Institutionalized in a hospital, prison, or similar institution; or

(c) A person who is 18 years of age or older and whose family receives public assistance or whose family would be eligible to receive public assistance but for the fact that both parents are in the home; or

(d) A person who is a veteran who has not obtained permanent unsubsidized employment since being released from active duty. Such person shall be considered to meet "unemployed" eligibility requirements regardless of the specific term of unemployment required.

* * *

§ 676.25-6 Services.

This program activity includes services to applicants, employment and training services, supportive services, and post-termination services. Such services are designed to lead to maximum employment opportunities and retention of employment or to facilitate participation in other employment and training program activities funded under this Act or in another Act, leading to eventual placement in unsubsidized employment.

(a) *Services to applicants.* Such services include:

(1) Outreach; and

(2) Intake: This includes screening for eligibility; the initial determination as to whether the program can benefit the individual; the determination of the employment and training activities and services which would be appropriate for the applicant; the determination of the availability of an appropriate employment and training activity; a decision on selection; and dissemination of information on the program.

(b) *Employment and training services.* Such services include but are not limited to:

(1) Orientation to the world of work;

(2) Counseling. This includes employment related counseling, and testing;

(3) Employability assessment (other than that involved during intake);

(4) Job development;

(5) Job search assistance. This includes transition services, such as job seeking skills instruction, individualized job search plan, labor market information, and other special activities for transition to unsubsidized employment;

(6) Job referral and placement;

(7) Targeted Jobs Tax Credit eligibility determination and referrals; and

(8) Vocational exploration program (VEP). A recipient may conduct a VEP program to expose youth to jobs available in the private sector through observation of such jobs, instruction, and, if appropriate, limited practical experience (sec. 432).

(i) A detailed curriculum shall be developed prior to enrollment in VEP.

(ii) Organizations which participate in VEP through an agreement with a recipient may be reimbursed for the costs incurred in the conduct of the program except that private-for-profit organizations may be reimbursed only for costs of training which is over and above that normally provided by the organization.

(iii) An individual may not be involved in any activity that contributes, or could be expected to contribute, to additional sales or profit, or results in the subsidization of wages, of a private-for-profit organization.

(iv) Where a vocational exploration program funded directly by DOL operates in a recipient's area, the recipient shall enter into an agreement with the local representative of the program which contains arrangements for recruitment, selection, referral and eligibility certification.

(c) *Supportive services.* Such services include but are not limited to:

(1) Health care and medical services;

(2) Child care. Child care programs shall comply with applicable State and local standards including State licensing requirements;

(3) Transportion;

(4) Temporary shelter;

(5) Assistance in securing bonds;

(6) Family planning services. These shall be made available to a participant only on a voluntary basis and shall not be a prerequisite for participation in, or receipt of, any services or benefits from the program;

(7) Legal services; and

(8) Financial counseling and assistance.

(d) *Post-termination services.* For 30 days following termination from the program employment and training services and supportive services, as described in §§ 676.25-5 (b) and (c) of this subsection, may be provided to participants who have obtained unsubsidized employment to enable them to retain employment.

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